IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY THIRD DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 12375 of 2004

Between:

K.Peddaiah, Lecturer in English,

Government Junior College for Girls,
R/o H.No.49-1-10, Maddur Nagar, Kurnool District

..... PETITIONER

AND

1 The Director of Intermediate Education, A.P. Hyderabad
2 The Regional Joint Director of Intermediate Education,

Kadapa Region, Kadapa
3 The Principal, K.V.R. Government Junior College for Girls, Kurnool.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records relating to O.A.No.7631 of 2003 dated 24-11-2003 on the file of the A.P. Administrative Tribunal, Hyderabad and quash the same and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: SMT.K.VIJAYA LAKSHMI

Counsel for the Respondents: GP FOR EDUCATION

The Court made the following :

ORDER:(per SRI JUSTICE J.CHELAMESWAR)

The Writ Petition is filed with the prayer as follows:

> "Therefore it is prayed that this Hon'ble Court may be pleased to call for the records relating to O.A.No.7631 of 2003 dated 24-11-2003 on the file of the A.P. Administrative Tribunal, Hyderabad and quash the same and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case."

O.A referred in the prayer above was filed by the writ petitioner herein. By the order dated 24-11-2003, the O.A was disposed of. The operative portion of the order is as follows:

> "Hence, in the facts and circumstances of the case and in view of the above discussion, the respondents are directed to review the order of suspension of the applicant issued in proceedings dated 7-10-2003 and pass appropriate orders thereon within a period of 2 weeks from the date of receipt of this order. Pending orders of the respondents on the review so ordered as above, the suspension order of the applicant is suspended. However, this does not preclude the authorities to continue the disciplinary action initiated against the applicant.
>
> The O.A. is disposed of accordingly. No costs."

The proceedings impugned in the above O.A are the proceedings of the first respondent herein in R.C. No. Services II-1/5094/2002 dated 07-10-2003 keeping the petitioner herein under suspension from service pending an enquiry. In the present writ petition, the petitioner prays that the order of the Tribunal dated 24-11-2003 be quashed.

Heard.

We are inclined to allow the writ petition at the stage of admission itself.

Accordingly, the Writ Petition is allowed, consequently the proceedings of the first respondent in R.C. No. Services II-1/5094/2002 dated 07-10-2003, will revive.

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J.CHELAMESWAR. J

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GODA RAGHURAM. J

Vs

To

1 The Director of Intermediate Education, A.P.Hyderabad

2 The Regional.Joint Director of Intermediate Education,

Kadapa Region, Kadapa.

3. Two CCs to the G.P for Education, High Court Buildings, Hyderabad (O.U.T).

4. Two CD copies.